

a great record in the Fire Department. It is believed, however, that he would welcome the transfer with all the reluctance of a boy accepting an invitation to partake of ice cream soda. The Fire Commissioner had experience as a deputy under Commissioner Bingham, and has many very pronounced ideas about the Police Department, which he would not hesitate to put into effect if the opportunity were given to him.

William J. Flynn, recently Second Deputy Commissioner, was also talked about. The possibility that the Mayor would choose another unknown like James C. Crosey was not seriously entertained.

When the name of Chief Magistrate William McAdoo was mentioned it was recalled that Mr. McAdoo had a couple of years of commissioniership. Mayor McAdoo had quite a job to pry him loose, but after he got out he professed great relief. He is nicely placed now in a position congenial to a lawyer.

In connection with the move of Civil Service Commissioner Crosey and Mayor Gagner against Commissioner Crosey came the renewal of the report that First Deputy Commissioner Driscoll is rapidly approaching the spot where he will disappear from the Police Department payroll. Mr. Driscoll has been very close to Mr. Crosey. The First Deputy has been riding madly around town in his automobile this morning and pervading buildings where lawyers have offices. This is regarded as a bad sign.

Unfair Police Verdict

In fining ten captains and four lieutenants yesterday for violation of his telephone order requiring that elderly policemen be given the preference on pay details, Commissioner Driscoll rounded out a list of about half the officers of the force who have felt the sting of his displeasure recently. Nearly all these officers feel that they were unjustly punished. They say they did not get a fair hearing.

People who keep track of police affairs recall that there was a marked coolness between the Mayor and Commissioner Crosey on the reviewing stand during last Saturday's parade. It has just been learned that Commissioner Crosey sent his automobile to the Mayor's home Saturday morning and inquired the Mayor to use the car in traveling to the reviewing stand. The Mayor ignored the invitation.

While the parade was passing, the Mayor kept his back turned to Commissioner Crosey. He was chummy with Mr. Creelman and John McCullagh. At that time Mr. Creelman was framing up the plan by which Mr. Crosey was to be accused of violating the Civil Service rules by appointing policemen out of numerical order on the list.

Commissioner Crosey got himself on the Mayor's bad books when he dismissed Lieut. Foody from the department. Deputy Commissioner Driscoll, on an unauthorized visit to the solitude of the Highbridge station, found Foody drinking a glass of beer with a friend. He preferred charges against Foody, who is a brother of the late Capt. Michael Foody.

When Capt. Foody died he left a large family and money. Lieut. Foody was the sole support of his brother's family. This condition was called to the attention of the Mayor, who requested the Police Commissioner to be as lenient as possible within the rules and regulations. Disregarding the Mayor's request, Commissioner Crosey dismissed Lieut. Foody.

Reprimanded for Appeal

More recently across the case of a lieutenant in a downtown precinct whose home is in the Bronx. His wife is in a hospital recovering from the effects of an operation and there is no one to look after his three small children. This lieutenant wrote to Commissioner Crosey, asking that he be temporarily transferred to Westchester, in order that he could get home to his little brood every night and keep one of his children, a boy, off the streets.

No attention was paid to the request. The plight of the lieutenant reached the notice of members of the Police staff, who wrote to Commissioner Crosey suggesting that the case was deserving of attention.

Commissioner Crosey promptly sent for the lieutenant and gave him a stinging rebuke. Then the Commissioner wrote a letter to City Hall stating that he would not tolerate any interference or suggestions in transfers of policemen. Just then the clock began to strike twelve on Mr. Crosey's police career.

But it was not until Mr. Creelman dismissed the Commissioner that Crosey had shipped forty-eight men on the eligible list to make appointments that an opportunity presented to put Mr. Crosey in a hole. Mr. Crosey is not only in a hole prepared by Mr. Creelman, but he faces the possibility of having to pay the cost of uniforms for the forty-eight men who were according to Civil Service Commissioner Creelman, illegally appointed.

Police Surgeons Used

The Creelman letter came a few hours after the Grand Jury had brought in its presentment finding weak spots in the police management. It is gratified from the communication that passing the Board of Police Surgeons is not always a matter of physical fitness. Crosey used the findings of the police surgeons as one of his reasons for making the alleged illegal appointments, which are said to upset the physical examinations of the Civil Service Board. The board claims the Commissioner has no authority to substitute the police surgeons' findings for those of the board. Yet on May 4 Crosey issued this general order:

"Hereafter, before any person shall be appointed to any position in the uniformed force such person shall be examined by the police surgeons."

The findings of Mr. Creelman to the Mayor became apparent recently when Mr. Creelman resigned from the Board of Education and soon afterward was appointed head of the Civil Service Commission. In his letter to the Mayor yesterday he says that Commissioner Crosey passed over certain men on the eligible list and appointed others, disregarding the provision of the law that appointments must be made from names at the head of the eligible list. Men passed over for alleged physical unfitness and later examined by the Board's doctors were found to be in proper condition for service on the force. Mr. Creelman characterized the police department's conduct as constituting "a grave scandal."

Not Entertaining

"I am from the Publishing Post."

"May be, but I don't find of entertaining callers."

"Oh, I guess he is. Maybe he didn't prove to be of that variety."

O'REILLY'S HAND IN BOBBY FRAUD, PLASS TELLS JURY

Declares Lawyer Took Part in Negotiations for Return of Stolen Securities.

PUT ON GRILL BY LEVY

Forced to Admit That He Is an Ex-Convict and the Betrayer of Companions.

The admission was wrung this afternoon from Frank J. Plass, the crook who turned State's evidence against Daniel J. O'Reilly, that he did not think of charging the lawyer with collusion in compelling Aaron Bancroft to pay \$5,000 for the return of the securities worth \$75,000, which were stolen from the Produce Exchange vaults in March last, until O'Reilly had told the police about the record of Plass, who was posing as a respectable jeweler. Plass, who had been wriggling under Abraham Levy's cross examination for more than two hours before Justice Vernon, Mr. Davis and a jury in the Criminal Branch of the Supreme Court, fell an easy victim to the many traps the astute cross-examiner laid for him.

It was on Plass that Assistant District Attorney Buckner counted to furnish the strongest testimony for the prosecution and he saved him for the last. So before Plass appeared Milton D. Buchhal, a managing clerk, was called to detail how O'Reilly, acting as an ex-convict, opened the negotiations with William S. Sullivan, attorney for Bancroft & Co., for the return of the pilfered bonds and the payment of the \$10,000 reward which the rogues demanded.

Plass on the Stand. Then came Plass, well dressed, jaunty and thirty-two years old. Replying to Mr. Buckner, he said he lived at No. 736 Eighth avenue, where he and his wife ran a furniture store. He owned up that he had served two prison terms. In 1890 he was sent to Blackwell's Island for having burglarized his own possession and in 1900 he was sentenced to eleven months in the Kings County penitentiary for counterfeiting.

He identified Rogues' Gallery likewise of the two fugitive ex-convicts, Chester Yates and Harry Ross, who are charged with committing the theft and said he knew Harry Barrett, the ex-clerk of Bancroft & Co., now under arrest for complicity. Yates, he said, lodged in his house during the early part of this year and Ross was a frequent caller there. About a week before the theft Yates had called him into his room and showed him a manila envelope containing waste paper which was to be substituted for the securities which the thieves coveted. Continuing, the former said:

"Early on the afternoon of March 2 I went by appointment to a restaurant on New and Beaver streets, where Yates and Ross were waiting for me. Twice within the next few minutes Barrett came in and whispered to Yates. I talked with Ross. About 2 o'clock I went with Yates and Ross to the lobby of the Produce Exchange. Yates took me to the basement and pointed to a spot in the corridor where he meant to turn the trick. I left them and went home. About 4 o'clock they arrived with a package of securities. Yates said it had been dead easy. He bumped into the old man, he said, and when Bancroft fell down and lost his envelope he and Ross picked him up and switched the package."

Tells of Negotiations

In reply to Assistant District Attorney Buckner's direct questions Plass said that Chester Yates asked O'Reilly if he could dispose of the securities and O'Reilly said he could.

"O'Reilly told me, 'I have a friend named Clark,' Plass testified, 'and I am sure he can dispose of them. Clark is a personal friend.' Yates then said he would like to see Clark. So what was realized on the securities, and O'Reilly repeated his statement that he could get rid of them."

Then O'Reilly asked Yates how he got the securities from Bancroft, and Yates told him that he had worked a plan on some information given him by a friend.

On the following day, March 11, Plass and Yates went to O'Reilly's office again. "O'Reilly handed back ten shares of Atchafalpa, Toledo, and Santa Fe stock," Plass testified, "and suggested that we return the securities for a reward. Yates told O'Reilly he wouldn't take less than \$10,000 and O'Reilly remarked that it was a lot of money, but he would try and get it for us."

On March 24, Plass swore, he met Sullivan in O'Reilly's office. Sullivan said he went to O'Reilly's office and said to him: "If all right, you are in my care, Mr. Sullivan."

Put on the Grill

Abraham Levy took Plass in hand for cross-examination and made him admit at once that he knew Yates was a crook, but he thought he had reformed when he gave him shelter. He denied that he was a "fence" and running a crook's shelter.

Asked About the Burglary. "In the burglary case in which you

RACING RESULTS AND ENTRIES

LOUISVILLE RESULTS.

FIRST RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

SECOND RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

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LOUISVILLE ENTRIES.

The entries for Friday's races are as follows: FIRST RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

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FOURTH RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

FIFTH RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

SIXTH RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

SEVENTH RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

EIGHTH RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

NINTH RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

TENTH RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

ELEVENTH RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Twelfth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Thirteenth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Fourteenth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Fifteenth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Sixteenth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Seventeenth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Eighteenth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Nineteenth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Twentieth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Twenty-first RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Twenty-second RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Twenty-third RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Twenty-fourth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

Twenty-fifth RACE—Selling, for three-year-olds and up, six furlongs—Ethelinda, 114 (Hick), won; Ethelinda, 114 (Kennedy), second; Ethelinda, 114 (Gordon), third. Time—1:34.25. French King, May Day, Home, 100 lbs., Helen Burnett, Miss Jones, 100 lbs., Red Lass, Miss Talbot, and Inspector for Kentucky also ran.

THREE THIEVES CAUGHT AFTER A LONG CHASE

One, a Woman, Thought to Have Been a Lookout for the Others.

While Mrs. Emma Drake was in the bathroom of her apartment on the first floor of the house at No. 21 West One Hundred and Thirty-first street this afternoon she heard a fumbling sound at her hall door. She came out just as a young man turned the lock with a skeleton key and walked in. There was a second youth behind him, while lurking in the hallway Mrs. Drake thought she could make out the figure of a woman apparently standing guard.

Mrs. Drake screamed and the trio scattered and fled. She kept the leader in sight. Her cries brought the janitor's son, Edward Saylor, and Saylor pointed out this fugitive to Policeman Bott, who chased him down Fifth avenue to One Hundred and Twenty-ninth street, thence to Lenox and over to Lexington avenue.

At One Hundred and Twenty-ninth street Bott overhauled the exhausted man. He drew his revolver and called on him to surrender. The man halted and threw up his hands, but, as Bott closed in, he pulled a steel jimmy from his pocket and gave fight. Bott had to lay him out with his fists and his club. He dragged his captive to the East One Hundred and Twenty-ninth street station, followed by a huge crowd. The prisoner gave his name as Edward Endelweh of No. 127 St. Ann's avenue, the Bronx.

The man had a bunch of skeleton keys, a quantity of jewelry and \$27 in cash. Mrs. Drake came to the station house and identified him and he was locked up. As his accusers were going away she thought she saw in the crowd that was gathered about the door the second man and the girl.

She slipped back and notified Lieut. Kelleher, who ordered out the reserves under Sergt. Kearns. The pair had vanished and the men, armed with descriptions furnished by Mrs. Drake, scattered through the neighborhood to find them.

A suspect was captured by Patrolman Enright in One Hundred and Twenty-first street after another chase. He said he was Jacob Simon of No. 72 West One Hundred and Thirty-second street. While his captors were leading him back to John Endelweh a citizen pointed out to Patrolman Dennis Need a good looking girl who was slipping along the opposite side of the street.

He had seen her in the hallway of the house where Mrs. Drake lived, just before the first outcry of alarm started. As Need detached himself from the group and began to edge across the road the girl ran. Despite high heels, a floppy hat and a hobble skirt she developed remarkable speed. But Sergeant Enright and Patrolman Enright caught her at One Hundred and Twenty-first street and Lexington avenue. She proved to be a remarkably good looking girl of twenty-one, with dark hair and blue eyes. She was identified by Mrs. Drake as the girl who had been with the thieves.

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NOT HE WALDORF BUT SING IS HIS NEW ADDRESS

Mr. Baldwin Gwynne Must Tarry in Prison for Nearly Ten Years.

If Mr. Baldwin Gwynne thought he'd get off easy by waiting trial and pleading guilty to a charge of grand larceny in Part I. of General Sessions this afternoon he was a badly mistaken young man. The maximum punishment in ten years, and Judge Mulqueen gave him nine years and ten months at Sing Sing. He didn't explain why he threw off the two months. Gwynne was still gasping as the turnkeys led him back to the Tombs to make him ready for the trip up the river.

Gwynne is a good looking, intelligent, dapper person. He is now in the Elmsford Reformatory for theft. He made a model inmate up to the time when, in company with about thirty of his fellow prisoners, he procured his release by filing a forged document in which the Prison Society was represented as setting forth that it had secured employment for him.

This was last fall. He acquired an elaborate wardrobe in some fashion and went to live fashionably at the Waldorf. He posed as a member of the wealthy Gwynne family of Columbus, O., and proceeded to acquire ingenious thefts. He would go to a jewelry store, offer bogus credentials, buy a lot of jewelry, pay for it with a worthless check drawn on a bank in some other city, pawn the jewelry and fade from sight.

The specific instance which led to his arrest, his indictment and his arraignment today was the theft of goods worth \$750.50 from Pickles & Co., No. 233 Fifth avenue. He fled to San Francisco, where he was captured and after a good deal of trouble brought back. The detectives who worked up the evidence against him told the judge that there were at least twenty-five similar cases that could be cited against Gwynne.

In giving his pedigree Gwynne said he lived at No. 120 West Seventy-second street and was twenty-three years old.

A suspect was captured by Patrolman Enright in One Hundred and Twenty-first street after another chase. He said he was Jacob Simon of No. 72 West One Hundred and Thirty-second street. While his captors were leading him back to John Endelweh a citizen pointed out to Patrolman Dennis Need a good looking girl who was slipping along the opposite side of the street.

He had seen her in the hallway of the house where Mrs. Drake lived, just before the first outcry of alarm started. As Need detached himself from the group and began to edge across the road the girl ran. Despite high heels, a floppy hat and a hobble skirt she developed remarkable speed. But Sergeant Enright and Patrolman Enright caught her at One Hundred and Twenty-first street and Lexington avenue. She proved to be a remarkably good looking girl of twenty-one, with dark hair and blue eyes. She was identified by Mrs. Drake as the girl who had been with the thieves.

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